



Questions and Answers About the 90-day Finding on the Petition to Delist the Southern Sea Otter

What is the result of the 90-day Finding to remove the southern sea otter from the List of Threatened and Endangered Species?

The Service found no substantial information to indicate delisting the species may be warranted.

What is a 90-day finding on a petition to delist?

Section 4 of the Endangered Species Act requires the U.S. Fish and Wildlife Service to make a finding on whether a petition to list, delist or reclassify a species contains substantial information to indicate that the requested action may be warranted. The initial finding is to be made within 90 days, to the maximum extent practicable, after receipt of the petition and is to be published in the *Federal Register*.

The Service's findings are based on information contained in the petition, supporting information submitted with the petition, and other information available to the Service at the time.

What is meant by substantial information?

When the Service evaluates a petition for substantiality, it considers the adequacy and reliability of the supporting information. A "substantial" finding means the Service has determined that there is adequate and reliable information to lead a reasonable person to believe the petitioned action may be warranted.

What kinds of information are considered reliable?

Among the most reliable and credible sources are papers published in peer-reviewed scientific literature. Information provided by individuals with demonstrated expertise in the relevant subject area is also generally considered reliable. Anecdotal information or information from sources without established records of subject matter experience and expertise must be strongly corroborated to be considered substantial.

What does the petition say?

The petitioner proposed delisting the southern sea otter because of concerns that southern sea otters are depleting the Oregon salmon population. However, salmon have never been documented in the diet of southern sea otters, which do not occur off the Oregon coast. Also, the effects of predation on another species are not relevant when determining whether a species should be considered for delisting under the Endangered Species Act.

When may the Service delist a species?



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According to the Endangered Species Act, the Service may delist a species only if the best scientific and commercial data available substantiate that it is neither endangered nor threatened. Delisting may be warranted as a result of extinction; recovery; or a determination that the original information used for classification of the species as endangered or threatened was in error.

The southern sea otter has not met the recovery criteria outlined in the Service's final revised recovery plan for the southern sea otter. Continuing threats to the southern sea otter include disease, exposure to environmental contaminants, intentional take (shooting), and potential entanglement in fishing gear. Oil spills, which could occur at any time, continue to threaten the southern sea otter with catastrophic decimation or localized extinction. The recovery plan states that the southern sea otter will be considered for delisting under the Endangered Species Act when the average population level over a three-year period exceeds 3,090 animals. The 2003 spring survey recorded 2,505 southern sea otters, and the latest available three-year running average shows 2,268 animals.

What happens now?

The decision is final and there will be no further review of this delisting petition. Recent sea otter surveys indicate that there is no need for a new status review of the species to determine whether delisting is warranted. The Service encourages the public to submit any new information about this species. This information will make it easier to monitor and conserve the southern sea otter.



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